



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Council Meeting Agenda

Meeting to be held at

Council Chambers - Wellington Centre

Foster Street, Sale

Tuesday 5 March 2019, commencing at 3pm

or join Wellington on the Web:

www.wellington.vic.gov.au

ORDINARY MEETING OF COUNCIL – 5 MARCH 2019

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The header features a dark blue horizontal bar with a white stylized graphic on the left side that resembles a bird or a wave. The text 'Council Meeting Information' is centered in white, bold, sans-serif font within this bar.

Council Meeting Information

Members of the Public Gallery should note that the Council records and publishes Council meetings via Youtube to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.

Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present”***



PRAYER

***“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.***

***We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”***

Amen



A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4

ADOPTION OF MINUTES OF PREVIOUS MEETING/S

ACTION OFFICER:

GENERAL MANAGER CORPORATE SERVICES

DATE:

5 MARCH 2019

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 19 February 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 February 2019.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF MOTION



A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)

OUTSTANDING PETITIONS

ACTION OFFICER

GOVERNANCE

DATE:

5 MARCH 2019

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			

ITEM A8(2)**RESPONSE TO PETITION – STREET LIGHT FOR COLVILLE STREET PORT ALBERT**

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

DATE: 5 MARCH 2019

Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓				✓				✓	

OBJECTIVE

The purpose of this report is for Council to consider a petition presented at the Ordinary Council meeting of 5 February 2019.

RECOMMENDATION***That:***

- 1. The Chief Executive Officer writes to the head petitioner, advising that a single street light will not be installed in Colville Street, Port Albert, as it will not conform with current standards; and***
- 2. Engagement will be undertaken with the head petitioner to ascertain whether there is general support for upgrading the street lighting network to meet current standards along South Street and Colville Street, Port Albert, via a Special Charge Scheme.***

BACKGROUND

A petition was received by Council on 5 February 2019 from residents of Colville Street, Port Albert to erect a street light. The petition states that two homes have been built in the street in the past 12 months and there is an active Bed & Breakfast establishment operating in the street. The petitioners state that they feel that without constructed footpaths and unsealed roads that it is a safety risk without a street light.

Street lighting provision varies across the shire due in part to when the street lights were installed. Historically street lights were installed on approximately every second power pole in urban areas and more often in the main streets of towns. Currently in any new development street lighting is installed to the relevant Australian Standard for Lighting of Roads and Public Spaces. Private developers are required to meet the standard for all new subdivisions and all lighting installed by Wellington Shire Council is also required to meet the current standards. All towns across the Wellington Shire have areas that do not meet current standards, and there is no requirement to upgrade those networks to meet the current standard.

Attachment 1 shows an image of South Street and Colville Street, Port Albert and has been prepared to show the extent of work that would be required to bring this area up to the current street lighting standards. The existing street lights are shown in magenta and the 6 blue circles indicate where a street light may be able to be erected on an existing power pole. This has been conducted as a desktop exercise and prior to any installation a full design would need to be undertaken however it is expected that the number of additional lights would not vary greatly. No new poles have been allowed for in the estimate and if any existing pole is not suitable for a light installation or an additional pole is required then an amount of \$10,000 per pole would need to be added to the estimate.

As this request relates to a new installation any new light should be installed in line with the standard which would require more than one light to be installed in Colville Street and the adjoining streets.

Engagement is continuing with property owners in Port Albert regarding a Special Charge Scheme to seal roads within the township. If this scheme is progressed it would appear opportune to investigate if residents along Colville Street and South Street would like to include an upgrade of the street lighting in along with any road construction scheme via an additional special charge scheme. Under these arrangements, property owners would be required to fund the capital cost of installing street lighting to meet current standards, and Council would need to fund the ongoing operating, maintenance and renewal cost for the street lighting.

OPTIONS

1. That Council note the attached petition requesting a street light for Colville Street.
2. That Council authorise the installation of a street light for Colville Street.
3. That Council decline the request for the installation of a street light for Colville Street.
4. That Council engage with the head petitioner regarding opportunities to upgrade street lighting in South Street and Colville Street, Port Albert via a Special Charge Scheme.

PROPOSAL

That:

1. The Chief Executive Officer writes to the head petitioner, advising that, as it does not conform with current standards, a single street light will not be installed on Colville Street, Port Albert; and
2. That engagement will be undertaken with the head petitioner to ascertain whether there is general support for upgrading the street lighting network to meet current standards along South Street and Colville Street, Port Albert, via a Special Charge Scheme.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest”

FINANCIAL IMPACT

The financial impact of this request has not been fully investigated, however approximate costs are provided below:

	No. Required	Approx. Cost	Total Cost
Installation costs of a pole and light if needed (approx.)	N/A	\$10,000	Nil
Installation of a light on an existing pole.	6	\$2,500 to \$3,000*	\$15,000 (lowest)
Design			\$ 2,000
			<u>\$17,000</u>
Additional annual costs for lights (OMR – Operate, Maintain, Replace tariff)	6	\$123	\$738

* It would be expected that the cost to install 6 lights would reduce the cost to the lowest level of this range, while a single light would be at the upper end. The total cost is based on \$2,500/light.

COUNCIL PLAN IMPACT

The report recommendation aligns with Council Plan 2017-21 Theme 2 Services and Infrastructure, which states the following strategic objective and related strategies:

Strategic Objective

“2.2 Council assets are responsibly, socially, economically and sustainably managed.”

Strategy 4.2

“2.2.2 Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents.”

CONSULTATION

There has been no public consultation on this petition.



To the Mayor and Councillors of the Wellington Shire Council

Petitioners – Jo and David Skinner

[Redacted]

We the undersigned residents and ratepayers of the Shire, request the Council agree to install a street light in Colville St, Port Albert. There have been, in the last 12 months, 2 new homes built in the street and there is a very active bed & breakfast operating. Visitors arriving late over the summer months find it difficult to locate properties and many local residents, we have noticed, walk dogs in the area, without footpaths and unmade roads it is a safety risk for all during evening hours. We look forward to the Council addressing this matter as soon as possible.

Attachment of signatures to the petition

NAME David J. Skinner
ADDRESS [Redacted]

Signature [Signature]
NAME DAVID HUMPHREYS

ADDRESS [Redacted]
Signature [Signature]

NAME GERALD HARRINGTON
ADDRESS [Redacted]
Signature [Signature]

NAME Lynda Paterson
ADDRESS [Redacted]
Signature [Signature]

NAME [Signature]
ADDRESS [Redacted]
Signature [Signature]

NAME

John Dalziel

ADDRESS

[Redacted Address]

Signature

[Handwritten Signature]

NAME

Lynn Schrapel

ADDRESS

[Redacted Address]

Signature

[Handwritten Signature]

NAME

Brian Moran

ADDRESS

[Redacted Address]

Signature

Post Albert

[Large Redacted Area]



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
 DATE: 5 MARCH 2019

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
		✓		✓					

OBJECTIVE

To report on all assembly of Councillor records received for the period 12 February 2019 to 27 February 2019

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

<p><i>That Council note and receive the attached Assembly of Councillor records for the period 12 February 2019 to 27 February 2019.</i></p>

BACKGROUND

Section 80A of the *Local Government Act 1989* requires a written record be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillor records received for the period 12 February 2019 to 27 February 2019.

Assembly of Councillors summary of reports received for the period 12 February 2019 to 27 February 2019.

Date	Matters considered	Councillors and officers in attendance
12 February 2019	SLUPP Agenda – 12 February 2019	Cr Hall, Cr McCubbin, Cr Bye John Websdale, General Manager Development Sam Pye, Acting Manager Built Environment Josh Clydesdale, Manager Land Use Planning Barry Hearsey, Coordinator Strategic Planning Caragh Button, Strategic Planner Ben Proctor, Strategic Planner
19 February 2019	IT / Diary Meeting	Cr Bye, Cr Crossley, Cr Hall, Cr Hole, Cr McCubbin, Cr Maher, Cr Ripper, Cr Rossetti, Cr Stephens David Morcom, Chief Executive Officer Leah Carubia, Executive Assistant CEO Damian Norkus, ICT Operations Officer
19 February 2019	Latrobe Valley Authority (<i>External</i>) Gippsland Regional Livestock Exchange Verbal Updates (CMT) Sale Community Bowls Club (<i>External</i>) Development Division Update Planning, Building & Business Development 2019/20 Fees & Charges 2019/20 Capital Budget Drought Support Options Gippswide Kerbside & E-Waste Education Update	Cr Bye, Cr Crossley, Cr Hall, Cr Hole, Cr McCubbin, Cr Maher, Cr Ripper, Cr Rossetti, Cr Stephens D Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services Chris Hastie, General Manager Built & Natural Environment Sharon Houlihan, General Manager Community & Culture John Websdale, General Manager Development Paul Johnson, Manager Business Development (Item 2 & 5) Daniel Gall, Coordinator Commercial Property (Item 2 & 5) Denis Murphy, Senior Commercial Property Officer (Item 2) Jarryd Sutton, GRLE Team Leader (Item 2) Barry Hearsey, Acting Manager Land Use Planning (Item 5) John Traa, Coordinator Statutory Planning (Item 5) Tom Hams, Senior Statutory Planning (Item 5) Vanessa Ebsworth, Manager Municipal Services (Item 5) Barry Nicholl, Municipal Building Surveyor (Item 5) Ian Carroll, Manager Corporate Finance (Item 6 & 8) Dean Morahan, Manager Assets & Projects (Item 7) Tim Rowe, Manager Natural Environment & Parks (Item 9) Samantha Nock, Coordinator Sustainability & Waste (Item 9) Joanna Rule, Sustainability Officer (Item 9)

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records during the period 12 February 2019 to 27 February 2019.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.3

"Maintain a well governed, transparent, high performing, ethical and accountable organisation."

Strategy 6.3.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.

ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 12 February 2019

2. **ATTENDEES**

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley		✓	Cr McCubbin	✓	
Cr Rossetti		✓	Cr Maher		✓
Cr Stephens		✓	Cr Bye	✓	
Cr Hall	✓		Cr Hole		✓
Cr Ripper		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO		✓	S Houlihan, GML		✓
A Skipitaris, GMCS		✓	J Websdale, GMD	✓	
C Hastie, GMB&NE		✓			

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.
Sam Pye	All	Ben Proctor	All
Josh Clydesdale	All		
Barry Hearsey	All		
Caragh Button	All		

3. **Matters/Items considered at the meeting (list):**

1. SLUPP Agenda – 12 February 2019

4. **Conflict of Interest disclosures made by Councillors:**

No Conflicts of Interest Declared

ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 19 February 2019

2. **ATTENDEES**

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C		✓
C Hastie, GMB&NE		✓	J Websdale, GMD		✓
A Skipitaris, GMCS		✓			

Others in attendance: (list names and item in attendance for)	Item No.
Leah Carubia, Damian Norkus	1

3. **Matters/Items considered at the meeting (list):**

1. IT / Diary meeting

4. **Conflict of Interest disclosures made by Councillors:**

Nil

ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 19 February 2019

2. **ATTENDEES**

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C	✓	
C Hastie, GMB&NE	✓		J Websdale, GMD	✓	
A Skipitaris, GMCS	✓				

Others in attendance: (list names and item in attendance for)	Item No.
<i>External Presenter: Karen Cain</i>	1
Paul Johnson, Daniel Gall, Denis Murphy, Jarryd Sutton	2
Corporate Management Team	3
<i>External Presenter Ian Jones</i>	4
Barry Hearsey, John Traa, Tom Hams, Vanessa Ebsworth, Barry Nicholl, Paul Johnson, Daniel Gall	5
Ian Carroll	6
Dean Morahan	7
Ian Carroll	8
Tim Rowe, Joanna Rule, Samantha Nock, <i>External Presenters Jane Oakley & Matt Peake (GWRRG)</i>	9

3. **Matters/Items considered at the meeting (list):**

1. Latrobe Valley Authority (*Verbal*)
2. Gippsland Regional Livestock Exchange Quarterly Update
3. Verbal Updates (CMT)
4. Sale Community Bowls Club (*Verbal*)
5. Development Division Update Planning, Building & Business Development (*Verbal*)
6. 2019 / 2020 Fees & Charges
7. 2019 / 2020 Capital Budget
8. Drought Support Options
9. Gippswide Kerbside & E-Waste Education Update

4. **Conflict of Interest disclosures made by Councillors:**

Nil

ITEM C2.3**INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
 DATE: 5 MARCH 2019

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
		✓		✓	✓				

OBJECTIVE

For Council to adopt recent amendments to the Instrument of Delegation to Members of Council Staff who hold, act in, or perform the duties of the office or position relating to the *Cemeteries and Crematoria Act 2003*, *Domestic Animal Act 1994*, *Local Government Act 1989* and *Planning & Environment Act 1987*, as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.

BACKGROUND

Section 98(1) of the *Local Government Act 1989* provides Council with the ability to delegate power, duties and functions of the Council to a member of its staff. There have been some changes to the S6 Instrument of Delegation, which require the current Instrument of Delegation to be updated. A summary of the below mentioned updates/amendments are attached.

Deleted Provisions

Planning and Environment Act 1987 s.46AS(ac), s,224(8)

Amended wording

Cemeteries and Crematoria Act 2003 s.18H(1)

Local Government Act 1989 s181H

Planning and Environment Act 1987 s.21A(4)

Amended Condition and Limitations

Domestic Animals Act 1994 s.41A(1)

OPTIONS

Council has the following options:

1. To adopt the updated Instrument of Delegation to Members of Council Staff, as attached; or
2. To amend the updated Instrument of Delegation to Members of Council Staff, as attached, prior to adoption.

PROPOSAL

It is proposed that Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

Section 98(1) of the *Local Government Act 1989* provides Council with the authority to delegate to a member of Council staff certain powers and duties.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

Strategic Objective 6.3

“Maintain a well governed, transparent, high performing, ethical and account organisation.”

Strategy 6.3.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Upon notification of the legislative changes, all relevant staff were consulted and have contributed to the updating of this Instrument of Delegation. Following adoption, our processes ensure that all staff with altered or new delegations are notified including updating of Council processes and procedures as required.

S6. Instrument of Delegation – Members of Staff

Wellington Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:
3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on **5 March 2019** and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this day of **2019**)
in accordance with Local Law No 1)
in the presence of:)

.....
Chief Executive Officer

INDEX

CEMETERIES AND CREMATORIA ACT 2003

DOMESTIC ANIMALS ACT 1994

ENVIRONMENT PROTECTION ACT 1970

FOOD ACT 1984

HERITAGE ACT 2017

LOCAL GOVERNMENT ACT 1989

PLANNING AND ENVIRONMENT ACT 1987

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006

RESIDENTIAL TENANCIES ACT 1997

ROAD MANAGEMENT ACT 2004

PLANNING AND ENVIRONMENT REGULATIONS 2015

PLANNING AND ENVIRONMENT REGULATIONS 2015

PLANNING AND ENVIRONMENT REGULATIONS 2015

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS

REGISTRATION AND STANDARDS) REGULATIONS 2010

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS

REGISTRATION AND STANDARDS) REGULATIONS 2010

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

Deleted Provisions

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46AS(ac)	Power to request the Victorian Planning Authority (VPA) to provide advice on any mater relating to land in Victoria or an objective of planning in Victoria.	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.224(8)	Duty to provide information requested by Victorian Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority.	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Statutory Planner Senior Statutory Planner	

Amended wording (thing delegated)

CEMETERIES AND CREMATORIA ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITION & LIMITATIONS
s.18h(1) Amended wording	Duty to hold an annual meeting before 30 December in each calendar year. Removed In accordance with section	Not delegated	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITION & LIMITATIONS
s.181H Amended wording	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge. Removed footnote: <i>If a CEO wishes to sub-delegate these powers, he or she must use the S13 Instrument Delegation of CEO powers, duties and functions to Members of Council Staff</i>	Chief Executive Officer	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITION & LIMITATIONS
s.21A(4) Amended wording	Duty to publish notice. Removed In accordance with section	Chief Executive Officer	

Amended wording Condition and Limitations

DOMESTIC ANIMAL ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITION & LIMITATIONS
s.41a(1) Amended wording	Power to declare a dog to be a menacing dog	General Manager Development Manager Municipal Services Coordinator Local Laws	Council may delegate this power to a Council authorised officer. Added: a Council



C3 - REPORT

GENERAL MANAGER DEVELOPMENT



C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**ALBERT RIVER ROAD STACEYS BRIDGE WIDENING**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSETS AND PROJECTS
 DATE: 5 MARCH 2019

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
✓	✓	✓			✓	✓	✓	✓	✓

OBJECTIVE

The objective of this report is for Council to consider entering into a contract for the widening of Staceys Bridge on Albert River Road, Staceys Bridge.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That:

- Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.1 Contract 2019-014 Albert River Road Staceys Bridge Widening; and***
- The information contained in the confidential document Item F1.1 Contract 2019-014 Albert River Road Stacey Bridge Widening of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 19 February 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Staceys Bridge on the Albert River Road is a single lane bridge with poor sight distance on both approaches. A relatively high percentage of traffic using the bridge is made up of heavy vehicles used for farming and forestry purposes.

Vehicles travelling west are required to give way with the current stop lines approximately 40 metres from the bridge. Vehicles travelling east have right of way however they have limited sight distance as they travel around a left hand bend and downhill to the bridge.

Vehicles travelling west that are required to give way have limited time to cross the bridge and be clear of the adjacent roadway once they proceed past the stop lines if a vehicle approaches from around the curve ahead.

The works will also include the realignment of Murphys Road into a standard “T” intersection layout from the current layout which forks onto Albert River Road in both directions with very limited sight distance.

The Federal Government through the Bridges Renewal Program has increased their grant towards the cost of the widening of the bridge structure up to \$320,750 on the same funding ratio which will require an equal contribution from Wellington Shire. These additional funds required have already been included in the proposed 2019/20 Capital Works program.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2019-014 Albert River Road Staceys Bridge Widening; or
- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2019-014 Albert River Road Staceys Bridge Widening.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

These works were budgeted for in the 2018/19 Capital Works Program and with the additional Federal Government funding and the funds proposed from the 2019/20 Capital Works program, there will be adequate funds to complete the works.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets & Projects unit.

COMMUNITY IMPACT

These works will produce a positive community impact with a two lane bridge and improved sight distance and a safer realigned intersection at Murphys Road.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project and property occupiers adjacent to these works will be notified prior to works commencing in their areas.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE

ITEM C5.1**A WARMER POOL FOR YARRAM**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER ARTS AND CULTURE
 DATE: 5 MARCH 2019

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
			✓	✓					

OBJECTIVE

For Council to formally respond to the Yarram community's consultation outcomes and proposal regarding provision of warmer water and associated infrastructure at the Yarram Outdoor Pool, as follows:

- Council supports the Yarram community's proposal for a rigid over-pool structure with a fabric cover, side café-style blinds and electric heat pumps, supplemented by photovoltaic solar cells, in order to provide consistent water temperature of 29°C at the Yarram Outdoor Pool and:
 - commits to seeking external funding of \$550,000 towards the project;
 - allocates capital funds of \$300,000 plus contingencies in Council's 2020/21 capital budget, subject to formal Council adoption of that budget;
 - allocates additional \$5,000 annual funds in Council's operating budget from 2021/22 onward to pay for increased heating costs; and
 - retains the currently operating 'temperature trigger' model for the Yarram Outdoor Pool in line with all other outdoor pools in Wellington Shire.

RECOMMENDATION

That Council formally responds to the Yarram community's consultation outcomes and proposal regarding provision of warmer water and associated infrastructure at the Yarram Outdoor Pool, as follows:

- ***Council supports the Yarram community's proposal for a rigid over-pool structure with a fabric cover, side café-style blinds and electric heat pumps, supplemented by photovoltaic solar cells, in order to provide consistent water temperature of 29°C at the Yarram Outdoor Pool and:***
 - ***commits to seeking external funding of \$550,000 towards the project;***
 - ***allocates capital funds of \$300,000 plus contingencies in Council's 2020/21 capital budget, subject to formal Council adoption of that budget;***
 - ***allocates additional \$5,000 annual funds in Council's operating budget from 2021/22 onward to pay for increased heating costs; and***
 - ***retains the currently operating 'temperature trigger' model for the Yarram Outdoor Pool in line with all other outdoor pools in Wellington Shire.***

BACKGROUND

The Wellington Shire Council Aquatic Strategy (2010) identified the local community's desire for a heated swimming pool for Yarram.

Council engaged a consultant, C Leisure, to conduct a business case analysis. C Leisure's findings were reported to Council and a subsequent presentation of this report was made to the Yarram community in 2017.

The Rotary Club of Yarram offered to facilitate community consultation directly with the Yarram community to determine what the local Yarram community would accept as a warmer pool model. This consultation was conducted in 2018 by the Rotary Club's Yarram Community Pool Committee (the committee) via a Memorandum of Understanding established between Council and the Rotary Club of Yarram.

The outcome of the committee's investigations was a recommended proposal for installation of a rigid over-pool structure with a fabric cover, side café-style blinds and electric heat pumps, supplemented by photovoltaic solar cells, in order to provide consistent water temperature of 29°C.

An alternative proposal investigated by the committee was for an additional, year-round indoor heated pool and retention of the existing outdoor pool.

Unanimous support for the recommended proposal was given by approximately 50 attendees at a community meeting in Yarram in October 2018.

This proposed model and the projected financial implications (capital cost and annual operating subsidy) were presented at Council Workshops on 4 December 2018 and 18 December 2018.

Council indicated support for the recommended proposal, including the allocation of future capital funds and operating funds needed to assist with attraction of external funding, provided service levels regarding operating hours were maintained at the Yarram Outdoor Pool consistent with those offered at all other outdoor pools in Wellington Shire.

OPTIONS

Council has the following options:

1. Formally respond to the Yarram community's consultation outcomes and proposal regarding provision of warmer water and associated infrastructure at the Yarram Outdoor Pool, as follows:
 - Council supports the Yarram community's proposal for a rigid over-pool structure with a fabric cover, side café-style blinds and electric heat pumps, supplemented by photovoltaic solar cells, in order to provide consistent water temperature of 29°C at the Yarram Outdoor Pool and:
 - commits to seeking external funding of \$550,000 towards the project;
 - allocates capital funds of \$300,000 plus contingencies in Council's 2020/21 capital budget, subject to formal Council adoption of that budget;
 - allocates additional \$5,000 annual funds in Council's operating budget from 2021/22 onward to pay for increased heating costs; and
 - retains the currently operating 'temperature trigger' model for the Yarram Outdoor Pool in line with all other outdoor pools in Wellington Shire; or
2. Seek further information with regards to the proposed project.

PROPOSAL

That Council formally responds to the Yarram community's consultation outcomes and proposal regarding provision of warmer water and associated infrastructure at the Yarram Outdoor Pool as follows:

- Council supports the Yarram community's proposal for a rigid over-pool structure with a fabric cover, side café-style blinds and electric heat pumps, supplemented by photovoltaic solar cells, in order to provide consistent water temperature of 29°C at the Yarram Outdoor Pool and:
 - commits to seeking external funding of \$550,000 towards the project;
 - allocates capital funds of \$300,000 plus contingencies in Council's 2020/21 capital budget, subject to formal Council adoption of that budget;
 - allocates additional \$5,000 annual funds in Council's operating budget from 2021/22 onward to pay for increased heating costs; and
 - retains the currently operating 'temperature trigger' model for the Yarram Outdoor Pool in line with all other outdoor pools in Wellington Shire.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

FINANCIAL IMPACT

The total anticipated capital cost of this project is \$850,000 with \$550,000 to be sought from external sources and a \$300,000 (plus contingencies) contribution from Council.

The annual operating cost is expected to grow from \$85,000 in 2017/18 to \$90,000 in 2020/21.

COMMUNICATION IMPACT

Council has resolved to communicate its decision to proceed with this project to the Yarram community.

It is anticipated that this will be well received and will encourage the return of local schools to the venue when works are completed.

It is understood that extension of the season will be an expectation of the community and, as this will not be met, reasons for this will need to be carefully communicated.

COUNCIL PLAN IMPACT

The Council Plan 2017-2021 Theme 2 Services and Infrastructure states the following strategic objective and related strategy:

Strategic Objective 1.1

Maintain friendly, safe communities providing opportunities for residents to lead healthy and active lifestyles.

Strategy 1.1.3

Provide and manage open spaces and infrastructure that enable and encourage healthy and active lifestyles.

Strategic Objective 1.2

Celebrate, recognise and acknowledge our diverse community and improve social connections among youth, aboriginal and aged communities.

Strategy 1.2.1

Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility.

Strategy 1.2.3

Encourage and support communities, sports and recreation clubs to deliver a diverse range of programs and events.

RESOURCES AND STAFF IMPACT

This project will require support from:

- Leisure Services staff
- Community Facilities Planning staff
- Projects team staff
- Communications team staff

COMMUNITY IMPACT

This project will deliver a high quality of swimming experience to the Yarram community. Due to the provision of consistent, warm water, and protection of swimmers from the external weather effects, it is expected that this will also encourage greater utilisation and provide broader appeal to a wider section of the community.

ENVIRONMENTAL IMPACT

Use of pool blankets and the provision of the covering structure will reduce evaporation and reduce the ingress of leaf litter and other foreign matter contamination. This will reduce water consumption and chemical usage.

Use of the PV solar panels is expected to offset the cost of operating the electric heat pumps, provided the length of the season is not extended.

ENGAGEMENT IMPACT

Community consultation regarding this project has been ongoing for 16+ years. This has been via the Aquatic Strategy investigations, external consultant coordinated Business Case research, Council officer conducted community forums and community consultation conducted by the Yarram Community Pool Committee via the Rotary Club of Yarram.

RISK MANAGEMENT IMPACT

The increased provision of safe aquatic facilities will provide the community with greater access to water safety education and aquatic skill development opportunities. This can reduce the likelihood of aquatic accidents and accidental drownings.

Health and wellbeing opportunities will also be enhanced.

ITEM C5.2**BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 5 MARCH 2019

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Engagement	Risk Management
		✓	✓	✓					

OBJECTIVE

For Council to receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 14 January 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 14 January 2019.

BACKGROUND

The Briagolong Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

- To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Briagolong Recreation Reserve for the use and enjoyment of the local community in line with Council policy and relevant Council strategic documents.
- To keep the Council informed on the operations, improvements and advancements of the Briagolong Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the Annual Report.
- To set, maintain and collect appropriate user charges.
- To ensure that the Briagolong Recreation Reserve's capital assets are adequately maintained.
- To provide advice to Council on matters relating to the Briagolong Recreation Reserve.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee. Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the Ordinary Meeting, with no conflicts being declared. Meetings held by the Briagolong Recreation Reserve Committee of Management are open to the public.

Note: The minutes incorrectly record meeting date as 14 February 2019. Treasurers Report incorrectly records meeting held on 14 January 2018, errors highlighted.

OPTIONS

Council has the following options:

1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 14 January 2019; or
2. Seek further information to be considered at a future Council Meeting.

PROPOSAL

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 14 January 2019.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services and Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.2

Council assets are responsibly, socially, economically and sustainably managed.

Strategy 2.2.2

Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents.

This report supports the above Council Plan strategic objective and strategy.

**BRIAGOLONG RECREATION RESERVE
Special Committee of Council**

MINUTES

14 February 2019

Briagolong Recreation Reserve

Meeting Opened Time:

1. Present / Apologies

Name	Title	Representing	Present / Apology
Carmel Ripper	Councillor	Wellington Shire	Present
Denis Murphy	Chairperson	Cricket	Apology
Melissa Conway	Secretary	Junior Football	Present
Vanessa Randle	Treasurer	Tennis	Present
Darren Randle		Community	Present
Josh Harry		Community	Apology
Tracie Binger		Tennis	Apology
Tracey Ryan		Pony Club	Present
Briony Padman		Cricket	Present

Quorum Achieved?

Yes

2. Declaration of Conflicts of Interest.

Nil

3. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: Melissa

Seconded: Tracey Ryan

CARRIED

Chairperson to sign and date previous minutes to be filed by Secretary

4. Business Arising from Previous Minutes

Aborist has finished the clean up works. CFA are requesting a 25 meter clearance – waiting on a quote.

Planning permit for shed approved – shed will be ordered this week. Hopefully will be delivered early March for construction April/May.

John has received his voucher which was a \$100 Visa Card

The refurbishment works are commencing in May – finishing approx. September.

5. Correspondence In

Email from Brian Gibson – Wellington Shire

6. Correspondence Out – date previous minutes sent to Council

Email trail regarding Masterchef.

Email thanking clubs/groups for help given regarding Masterchef.

7. Reports

7.1 Chairperson's Report

Nil

7.2 Treasurer's Report

As tabled.

\$10k to be moved to Bendigo Bank – Denis to sign cheque.

Waiting on email from Cricket Club for working bee drink reimbursement – cost \$122

7.3 User Group Reports

Pony Club

Pony Club dates:

- Sunday 20 January
- Sunday 10 February – Rally
- Navigation Ride – waiting on confirmation date

Still waiting on confirmation of LVA grant application – meeting coming up in a couple of weeks.

Football

Nil

Cricket

Possibility to have three teams in finals – looking hopeful.

1st are currently sitting 6th, 2nd are currently sitting 4th, 4th are currently sitting 2nd.

Look at hosting some form of finals, maybe in 2020 with new clubrooms.

Look at a hire fee for use of ground during cricket season for cricket purposes – hire form and make sure user has insurance.

Community

Nil

Volunteers

Nil

8. OHS / Risk / Facility Fault Report

Mower to be moved.

9. New Rules of the Committee to be endorsed by Council- No update

10. General Business

Voucher for Matt Clark – carried over to next meeting.

As acknowledgment by Carmel Ripper who would like to congratulate Denis on his leadership regarding Masterchef and how well he pulled the whole thing off

Thankyou to everyone who attended the working bee prior to Materchef arrival. Thanks to Pony Club for the use of the shed and the cleanup of it.

The Recreation Reserve benefited by approx. \$10,000 in many ways having Masterchef attend – a huge advantage to everyone.

The new shed will be ordered this week – woodland grey – from Fair Dinkum Sheds.

A quote to be obtained from Cassidy Concreting for concreting of shed floor.

Craig Sellings Plumbing will do works regarding shed with labor assistance to keep costs down – He will sign off on it.

A storm water pipe for power to be ran by the Rec Reserve – conduit for future use (lighting, electric scoreboard, etc).

Old irrigator is now repaired. Sale Water Specialists suggest that we could sell it for \$4500. Will be advertised to local clubs around the area first before looking at other avenues.

Communication has been made to Pony Club enquiring why a Pony Club member contacted Masterchef directly when there was already a contact point through Rec Reserve. Email letter tabled.

11. Next Meeting

Monday 11 February 7:30pm 2019

Meeting Closed Time:

8:35pm

These minutes are:

Confirmed as true and correct on
Date

Or

Corrections have been made and noted at the meeting on
Date

Chairperson Signature.....

Treasurers Report for meeting held January 14 2018

Reconciled Statement for December 31 2018

Cash at Bank as at 30/11/2018 61,628.88

Income:

December

WSC GST return (Aug - Nov)	665.04	
BBC Festival Bond	1000.00	
		1,665.04

Payments:

December

Carmody's - Sept / Oct fuel	80.70	
Southern Rural Water- Groundwater license	388.25	
Sale Mowers - service & repairs	361.10	
Energy Australia - P-shed \$798.09 & Fac \$923.68	1721.77	
Simics Betta Home Living - Dishwasher	1069.00	
		3,620.82

Reconciled Bank Balance to date **59,673.10**

unpresented chq's & deposits

Briag Farm Services - site cleanup & spreading mulch	4730.00	
		4,730.00

closing balance of accounts to date **54,943.10**

Cheques to be authorised

CFA - Extinguisher Inspection	133.55	
Gerard Condon - Tip fee reimburse for removal of waste	20.00	
Abicor - Hand Towle & Toilet paper	89.95	
Briag Cricket Club - drinks working bee	122.00	
Briag Cricket Club - Festival bond reimbursement	1000.00	
D & V Randle - voucher,keys,cleaning & food working bee,fuel	252.05	
		1,817.55
Balance Remaining to date...		53,325.55

correspondence:



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that the Mayor will respond to you in writing within one week if required, and a copy of that response will be circulated to all councillors.

This is not a forum for members of the public to lodge complaints against individuals, including councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.

If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes

Meeting declared closed at: pm

The live streaming of this Council meeting will now come to a close.



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
5 MARCH 2019**

On this day of 19 February 2019, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.1 CONTRACT 2019-014 ALBERT RIVER ROAD STACEYS BRIDGE WIDENING** confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) Contractual matters

A handwritten signature in blue ink, appearing to be 'Chris Hastie', is written over a light blue horizontal line. The signature is fluid and cursive.

.....
Chris Hastie General Manager Built and Natural Environment



G. IN CLOSED SESSION

G. IN CLOSED SESSION

COUNCILLOR

That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:

- a) personnel matters*
- b) the personal hardship of any resident or ratepayer*
- c) industrial matters*
- d) contractual matters*
- e) proposed developments*
- f) legal advice*
- g) matters affecting the security of Council property*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person*

IN CLOSED SESSION

COUNCILLOR

That Council move into open session and ratify the decision made in closed session.